

Amendments to the Drawings:

The attached sheets of the drawings includes changes to all of the Figures (Figures 1, 2, 3(a)-3(e), and 4(a)-4(j)). These sheets replace the original sheets. The drawings have been amended to add labels to elements of the drawings, as required in the Action. The attached sheets are being submitted as formal drawings.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

Claims 1 and 30-48 are pending. Claims 1, 41, and 42 have been amended. Replacement drawing sheets are being submitted. A terminal disclaimer and statement under § 3.73(b) are being submitted.

The Drawings were objected to on the grounds that “structural elements . . . are merely labeled with identifying numbers”. Applicant was required to “provide suitable legends”. Applicant submits herewith replacement sheets for all of the drawings in which labels are added to various elements in the drawings as required in the Action. Applicant submits that these replacement sheets satisfy the requirements made in the Action. These replacement sheets are being submitted as formal drawings.

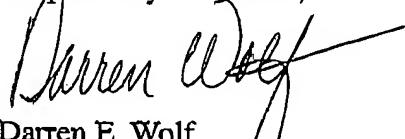
Claims 1 and 30-40 were rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, claim 1 is rejected on the grounds that the limitation “the at least one signal wavelength” in line 6 lacks sufficient antecedent basis. Claim 1 has been amended and Applicant submits that claim 1 no longer lacks antecedent basis. Claims 41 and 42 have also been amended in a manner similar to that of claim 1.

Claims 1, 30-38 and 40-48 were rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8, 10, 17-20, and 25-27 of U.S. Patent Number 6,714,739 in view of U.S. Patent Number 5,559,910. Furthermore, claim 39 was rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent Number 6,714,739 in view of U.S. Patent Number 5,559,910 and further in view of U.S. Patent Number 6,122,413. Applicant submits herewith a terminal disclaimer with reference to U.S. Patent Application Number 09/588,527, filed on June 6, 2000, and a statement pursuant to § 3.73(b).

Applicant submits that the application, as amended, is in condition for allowance. If the Examiner has any questions pertaining to this Amendment or to the subject application in general, the Examiner is encouraged to contact the undersigned.

Applicant has attached herewith a Fee Sheet providing for the payment of fees due with this Amendment. However, in the event additional fees are due, the Commissioner is hereby authorized to debit Charge Account Number 50-3198 in the name of Dickie, McCamey & Chilcote, and to credit any overpayments to that same Charge Account.

Respectfully submitted,



Darren E. Wolf
Registration No. 36,310
412-392-5681